

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

**ADVANCED MASONRY ASSOCIATES, LLC  
d/b/a Advanced Masonry Services,**

**Petitioner/Cross-Respondent**

**vs.**

**Case Nos. 18-14163-GG**

**NATIONAL LABOR RELATIONS BOARD,**

**Respondent/Cross-Petitioner.**

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**PETITIONER’S UNOPPOSED MOTION TO WAIVE ELEVENTH  
CIRCUIT RULE 17-1 REQUIREMENTS**

**CERTIFICATE OF INTERESTED PERSONS**  
**AND CORPORATE DISCLOSURE STATEMENT**

Pursuant to Eleventh Circuit Rule 26.1-1, Petitioner hereby provides the following Certificate of Interested Persons and Corporate Disclosure Statement:

1. The name of each person, attorney, association of persons, firm, law firm, partnership, and corporation that has or may have an interest in the outcome of this action—including subsidiaries, conglomerates, affiliates, parent corporation(s), publicly traded entities that own 10% or more of a party's stock, and all other identifiable legal entities related to any party in the case:

Acevedo, Luis  
Former Advanced Masonry employee

Advanced Holdings, LLC  
5403 Ashton Court  
Sarasota, Florida 34233  
Parent corporation of Petitioner, not a publicly-traded entity

Advanced Masonry Associates, LLC d/b/a Advanced Masonry Systems  
5403 Ashton Court  
Sarasota, Florida 34233  
Petitioner

Barlow, Jacob  
Former Advanced Masonry employee

Bricklayers and Allied Craftworkers, Local 8 Southeast  
Post Office Box 4028  
Atlanta, Georgia 30302

Clark, Jeremy  
Former Advanced Masonry employee

Cohen, David, Esq.  
Regional Director  
NLRB Region 12  
201 E. Kennedy Boulevard, Suite 530  
Tampa, Florida 33602

Collins, Valerie, Esq.  
Attorney  
National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570

Greenlee, Forest  
Former Advanced Masonry employee

David Habenstreit, Esq.  
Deputy Associate General Counsel  
National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570

Hearing, Gregory A., Esq.  
Thompson, Sizemore, Gonzalez & Hearing, P.A.  
201 N. Franklin Street, Suite 1600  
Tampa, Florida 33602  
Counsel for Petitioner

International Union of Bricklayers and Allied Craftworkers  
620 F Street NW  
Washington, D.C. 20004

Kaplan, Marvin E.  
NLRB Board Member  
1015 Half Street SE  
Washington, D.C. 20570

Karp, Richard  
Principal, Advanced Masonry Associates, LLC  
5403 Ashton Court

Sarasota, Florida 34233  
Petitioner

Karp, Ron  
Principal, Advanced Masonry Associates, LLC  
5403 Ashton Court  
Sarasota, Florida 34233

Kyle, John W., Esq.  
Deputy General Counsel  
National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570

Leonard, Caroline, Esq.  
NLRB Region 12  
201 E. Kennedy Boulevard, Suite 530  
Tampa, Florida 33602  
Counsel for the NLRB General Counsel

McFerran, Lauren  
NLRB Board Member  
1015 Half Street SE  
Washington, D.C. 20570

Pearce, Mark Gaston  
NLRB Board Member  
1015 Half Street SE  
Washington, D.C. 20570

Pearson, Raymond  
Former Advanced Masonry employee

Reed, George  
Former Advanced Masonry employee

Ring, John F.  
NLRB Chairman  
1015 Half Street SE  
Washington, D.C. 20570

Robb, Peter B.  
General Counsel  
National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570

Rosas, Michael A.  
Administrative Law Judge

The Hon. Gary Shinnars  
Executive Secretary, National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570

Smith, John  
Former Advanced Masonry employee

Stevenson, Walter  
Former Advanced Masonry employee

Thomas, Charles J., Esq.  
Thompson, Sizemore, Gonzalez & Hearing, P.A.  
201 N. Franklin Street, Suite 1600  
Tampa, Florida 33602  
Counsel for Petitioner

Thompson, Sizemore, Gonzalez & Hearing, P.A.  
201 N. Franklin Street, Suite 1600  
Tampa, Florida 33602  
Counsel for Petitioner

Walker, Kimberly, Esq.  
Kimberly C. Walker, P.C.  
14438 Scenic Highway 98  
Fairhope, Alabama 36532

Wrench, David  
Former Advanced Masonry employee

2. The name of every other entity whose publicly-traded stock, equity, or debt may be substantially affected by the outcome of the proceedings:

None.

Petitioner/Cross-Respondent, ADVANCED MASONRY ASSOCIATES, LLC d/b/a ADVANCED MASONRY SYSTEMS (“Petitioner”), hereby moves the Court to waive the application of Eleventh Circuit Rule 17-1, which Rule requires the Petitioner to file certified extracts of the portions of the record relied upon by the parties in their briefs. In support of this Motion, Petitioner states that the filing of certified extracts largely would duplicate a voluminous—and certified—record that the Court currently has in its possession:

1. After Petitioner filed its Petition for Review of an Order of Respondent/Cross-Petitioner, the NATIONAL LABOR RELATIONS BOARD (“Respondent”), Respondent filed a certified list of the contents of the agency record on November 13, 2018.

2. On January 9, 2019, one week after filing its Initial Brief, Petitioner/Appellant filed an Appendix with the Court containing a complete copy of the transcript and all exhibits from the administrative law judge (“ALJ”) hearing forming the factual basis of the Order of Respondent being appealed from.

3. Each volume of the transcript filed by Petitioner concludes with a certification of the official court reporter, stating the following:

#### CERTIFICATION

This is to certify that the attached proceedings before the National Labor Relations Board (NLRB), Region 12, in the matter of ADVANCED MASONRY ASSOCIATES, LLC, d/b/a ADVANCED MASONRY SYSTEMS, Case No. 12-RC-175179 and 12-CA-176715,

at Tampa, Florida, on [date], was held according to the record, and that this is the original, complete, and true and accurate transcript that has been compared to the recording, at the hearing, that the exhibits are complete and no exhibits received in evidence or in the rejected exhibit files are missing.

4. Petitioner consulted with the Clerk of Court, and was informed by the Clerk's office, to submit the instant Motion to address the issue of substantial duplicate filings.

5. Pursuant to Eleventh Circuit Rule 27-1(a)(5), the undersigned hereby certifies that counsel for Petitioner has conferred with Counsel for Respondent and Respondent does not oppose the relief requested herein.

WHEREFORE, for all the foregoing reasons, Petitioner/Cross-Respondent, ADVANCED MASONRY ASSOCIATES, LLC d/b/a ADVANCED MASONRY SYSTEMS, hereby moves the Court to waive the requirements of Eleventh Circuit Rule 17-1, granting Petitioner such other and further relief as the Court finds just and proper.

Dated this 24<sup>th</sup> day of April, 2019.

Respectfully submitted,

/s/Gregory A. Hearing

GREGORY A. HEARING

Florida Bar No.: 817790

CHARLES J. THOMAS

Florida Bar No.: 986860

THOMPSON, SIZEMORE,

GONZALEZ & HEARING, P.A.

201 N. Franklin St., Suite 1600



Tampa, Florida 33602  
Tel.: (813) 273-0050  
Fax: (813) 273-0072  
Counsel for Petitioner/Appellant

**CERTIFICATE OF COMPLIANCE**

I certify that this motion complies with the type-volume limitation set forth in Fed. R. Civ. P. 32(c)(1). This motion contains 366 words, excluding the parts of the motion exempted by Fed. R. App. P. 32(f).

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>th</sup> day of April, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following: David Habenstreit, Deputy Associate General Counsel, National Labor Relations Board, 1015 Half Street S.E., Washington, D.C., 20570, Counsel for Appellee.

/s/Gregory A. Hearing  
Attorney